

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

JUNE 7, 2010

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present:

Chairman Harold Sanger
Craig S. Owens, City Manager
Jim Liberman
Marc Lopata
Scott Wilson
Ron Reim

Absent:

Steve Lichtenfeld, Aldermanic Representative

Also Present:

Jason Jaggi, Acting Director of Planning & Development Services
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting. He asked that all cell phone ringers be turned off or muted and that conversations take place outside the room so as not to disrupt the meeting.

MINUTES

The minutes of the May 17, 2010 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

REQUEST FOR SITE PLAN AND ARCHITECTURAL REVIEW EXTENSION – MIXED USE PROJECT – 25, 103, 11 & 119 N. CENTRAL AVENUE (CENTRAL/MARYLAND HOTEL PROJECT)

Jim Mellow, attorney representing the developer, was in attendance at the meeting. Also in attendance were Rob & Ron Kramer, developers, and Tyler Stephens, project architect.

Jason Jaggi explained that the first item for consideration of extension is for an extension of the site plan approval for the Central-Maryland Hotel Planned Unit Development (PUD)

project. The PUD is located at 25, 103, 111 and 119 N. Central Avenue and consists of two buildings and site improvements as described below:

Hotel Tower – the primary building located at the southwest corner of Central and Maryland consists of a 23 story mixed use building featuring a 225-room hotel, 40-condominium units, spa, ground floor retail, and meeting rooms. Eighty-five (85) parking spaces for the condominium units are located beneath the building.

Garage/Retail Structure – the hotel tower is supported by a 6-level parking garage containing 377 parking spaces and 16,538 square feet of retail.

Jason stated that the entire project consists of 225 hotel rooms, 40 residential units, 22,118 square feet of ground floor retail area and 462 parking spaces. The Plan Commission originally approved the site plan for this project at its meeting of June 2, 2008. A request for an extension of the site plan until June 9, 2010 was approved by the Plan Commission on June 1, 2010 (*this date was corrected later during the meeting*). The City's Zoning Regulations specifies that site plan approvals expire one-year from the time of approval by the Plan Commission if building permits are not applied for within that time frame. However, according to the Zoning Regulations, the applicant may request an extension to the time limit on such approvals by submitting a written request to the Director of Planning and Development Services prior to the expiration of said approvals. On May 3, 2010, RJ York SSG, LLC submitted a letter to the Acting Director of Planning and Development Services formally requesting an extension of the approval of the site plan, which must now be approved at the sole discretion of the Plan Commission. The rezoning and Planned Unit Development (PUD) approvals were originally granted by the Board of Aldermen on July 8, 2008. On June 9, 2009, the Board of Aldermen approved an extension of time of the Planned Unit Development and rezoning approvals which will expire on July 9, 2010. The May 3, 2010 letter also included a request for an extension of these approvals that will be considered by the Board of Aldermen at their June 22, 2010 meeting. Jason indicated that staff's recommendation is to approve an extension with the following conditions:

1. That the site plan approval expire on June 9, 2011; and
2. That all of the previous site plan conditions approved by the Plan Commission on June 2, 2008 remain in effect; unless otherwise approved by the City.

It was noted that staff's memorandum, as read by Jason, incorrectly noted that the Plan Commission approved an extension of the site plan until June 9, 2010 on June 1, 2010 (should have read that the Plan Commission approved an extension of the site plan until June 9, 2010 on June 1, 2009.)

Mr. Mellow stated that the economy has not been conducive to financing and since the City has no plans to use the property, they are asking for an additional extension to secure financing.

Chairman Sanger asked Kevin O'Keefe what is and is not being considered this evening.

Kevin O’Keefe explained that what is being considered is the extension of the land use and that focus needs to be on the land use perspective, not an economic perspective.

Chairman Sanger commented that there is no change/modification to the plan and that this is strictly consideration of a further extension of the approvals, not from an economic perspective.

Ron Reim asked how this plan relates to the revised/updated Central Business District (CBD) Master Plan which will be in effect prior to the extension expiration.

Jason Jaggi indicated that he believes that the Plan will be adopted within one year.

Marc Lopata asked if the project is to be LEED Certified.

Jason Jaggi replied “yes”.

Mr. Jim Kerley, 139 N. Central Avenue, noted that under the revised Master Plan, this building is not in an approved zone. He stated that he also understands that the property will be foreclosed on July 1st and anyone who purchases the property will make changes to the plan.

Ms. Suzie Forsyth, Clayton resident, referred to a letter she authored and distributed to the members (note staff did not receive a copy) regarding the preservation of their streets. She stated that the 119 property should remain an R-3 district. She asked if the developer can continue to ask for extensions.

Chairman Sanger advised Ms. Forsyth that there is no limit to the number of extensions that can be sought or approved.

Ms. Forsyth indicated that she has spoken with representatives of Sasaki who informed her that new developments will not have an impact on residential neighborhoods. She stated that there should be some limit to these extensions.

Ms. Terry Kerley, 139 N. Central Avenue, indicated that she has asked this question many times, but will ask it again; if & when the property is purchased by someone else or if any changes are made to the approved plan, does it have to go back to the drawing board (in other words, does it have to go back for initial submittal, review and vote by the Plan Commission and/or Board of Aldermen) for all approval aspects?

Kevin O’Keefe commented that this Body is constrained by the facts that exist and not on rules that may be applicable later. He reminded everyone that the revised/updated Master Plan has not yet been adopted and that if and when it is, and if and when circumstances changes, that those issues would be factored in when considering further extensions. He stated that if the development rights were to be transferred, again stating the land use issue, the project could be constructed based on the plans that have already been approved. He stated that how the City chooses to exercise its rights he cannot speculate, but that land use is not specific to an owner but to the laws in effect at the time of approval.

Ms. Kerley stated that her question was not answered as she was told before that if “anything” changed, they would have to start over and receive all new approvals.

Chairman Sanger indicated that this is true of there is a change to the plans.

Kevin O’Keefe stated that the adoption of a master plan does not affect previous approvals.

Ms. Kerley indicated that there are 2,500 parking spaces for the CBD between the Centene and MetroLink parking garages.

Marc Lopata asked when the revised/updated Plan will be adopted.

Jason Jaggi stated that it is on the City’s web-site now, that Sasaki (the consultant) will be presenting it to the Plan Commission/EDAC on June 21st and that he anticipates its adoption in the next two to three months. He commented that Sasaki previously held informational meetings regarding this Plan.

Marc Lopata asked if the project is in keeping with this new Plan.

Jason Jaggi replied “yes”; he stated it is consistent with the Plan.

Ms. Forsyth questioned the word “consistent”. She stated that “yes”; it would be consistent with the Plan if the zoning were changed.

An unidentified gentleman in the audience stated that under the new Plan, there is a 75’ height limit where the hotel would be built which is not consistent with the new Plan.

Chairman Sanger stated that this issue is not under debate as the new Plan has not been adopted.

Marc Lopata asked if this Commission can extend for less than the requested 12 months.

Chairman Sanger replied “yes”. He stated that he was going to suggest a shorter time period and that if this shorter time period is approved, send the message that a future extension is not guaranteed. He stated that he does, however, understand the economic issue.

Kevin O’Keefe indicated that the Commission could certainly approve an extension for a shorter period of time than requested.

Chairman Sanger stated that he was going to suggest a 6 month extension.

Marc Lopata stated that he believes a shorter extension is a good idea.

Scott Wilson agreed.

Being no further questions or comments, Marc Lopata made a motion to approve a six (6) month extension (or until December 9, 2010) of the site plan approval. The motion was seconded by Scott Wilson and unanimously approved by the members.

The request for a one (1) year extension of the architectural review aspects of the garage portion only (excluding the hotel building) was now up for consideration.

Jason Jaggi explained that this is consideration of a request for an extension of Architectural Review Board approval for the garage portion of the Central-Maryland Hotel Planned Unit Development project. The garage/commercial component is located at 103, 111 & 119 North Central Avenue. The Architectural Review Board has not yet approved the design and materials for the hotel portion of the project located at 25 N. Central Avenue; therefore, a request for an extension of approval is not needed. The proposed garage/commercial structure will measure approximately 39-feet in height from average existing grade to the top of the limestone façade. The parking garage portion of the building will be less in height, which staff estimated will be approximately 30-feet from finished grade to the top of the brick wall. Three levels of parking above grade are proposed with the remaining three levels placed below-grade. The garage will accommodate parking for 377 vehicles. The total square footage of the garage area is 166,582. Fronting Maryland Avenue will be a commercial component occupying two stories totaling 16,538 square feet. The exterior will contain two primary materials: limestone panels and brick veneer. The limestone panels are proposed for the “front” of the building consisting of the commercial area. Storefront windows with large mesh fabric awnings are shown above the storefront entrances. The applicant is proposing the installation of City Streetscape along North Central and Maryland Avenues. In addition, a recessed patio area to be utilized for outdoor dining is proposed along Maryland Avenue. The Architectural Review Board originally approved the design and materials of the garage/parking structure at its June 2, 2008 meeting. On June 1, 2009, the Architectural Review Board granted an extension of the approvals until June 9, 2010. The City’s Zoning Regulations specifies that Architectural Review Board approvals expire one year from date of approval unless a Building Permit has been issued, which is not currently the case for this project. However, according to the Zoning Regulations, the applicant may request an extension to the time limit on such approvals by submitting a written request to the Director of Planning and Development Services prior to the expiration of said approvals. On May 3, 2010, RJ York SSG, LLC submitted a letter to the Acting Director of Planning and Development Services formally requesting an extension of the Architectural Review Board approval, which must now be approved at the sole discretion of the Architectural Review Board. The rezoning and Planned Unit Development (PUD) approvals were originally granted by the Board of Aldermen on July 8, 2008. On June 9, 2009, the Board of Aldermen approved an extension of time of the Planned Unit Development and rezoning approvals which will expire on July 9, 2010. The May 3, 2010 letter also included a request for an extension of these approvals that will be considered by the Board of Aldermen at their June 22, 2010 meeting. Jason indicated that staff’s recommendation is to approve the extension with the following conditions:

1. That architectural review approval for the garage/commercial portion expire on June 9, 2011; and

2. That all of the previous architectural review conditions approved by the Architectural Review Board on June 2, 2008 remain in effect; unless otherwise approved by the City.

Chairman Sanger asked if there were any questions or comments from the Board.

None were received.

Chairman Sanger asked if there were any questions or comments from the audience.

Ms. Forsyth informed the ARB members that the monsignor was asked if he was approached about an extension to which he replied “no”.

Kevin O’Keefe indicated that all property owners within 200 feet were sent an agenda notifying them of this request. He stated that the City does not have control over church business.

Ms. Kerley reiterated that there are 2,500 parking spaces for the CBD.

Being no further questions or comments, Jim Liberman made a motion to grant a 6 month extension of the garage/commercial structure (to expire December 9, 2010). The motion was seconded by Scott Wilson and unanimously approved by the Board.

ADDITION TO SINGLE FAMILY RESIDENCE – 638 AUDUBON

Mr. Timothy Ryan, owner, was in attendance at the meeting.

Jason Jaggi explained that this is consideration of a request by Phil Gomez, architect on behalf of Timothy and Francesca Ryan, owners, for review of the design and materials associated with the construction of an addition to a two-story single family residence in the Moorlands Addition subdivision. The existing home is a brick and stucco, 2,056 square foot structure. With the proposed 866 square foot addition, the residence will measure 2,922 square feet. An existing attached, below grade, front entry garage is located on the south side of the residence. The proposed two-story addition will be located directly above the existing garage. The applicant indicates that the height of the structure is approximately 29’ as measured from the finished floor level to the roof peak. Staff estimates that the residence will measure approximately 22’8” from the existing grade to the midpoint of the proposed roof. The height of the proposed addition will match the height of the existing structure. The proposed addition will be red brick veneer and white Exterior Insulation Finishing System (EIFS) to match the existing residence. On the rear elevation, brick will be added to replace the existing siding resulting from a previous garage removal. The asphalt shingle roof will match the existing. Double hung windows will be white in color with shutters and brick rowlock sills to match the existing. Trash will continue to be stored in the below grade, front entry garage. HVAC units will remain at the rear of the house and no additional units are proposed. Jason indicated that staff believes that this addition contains many of the details of the existing building and will match well. Existing and proposed walls on the front and rear elevations will be flush and existing front and rear dormers will be extended onto the proposed addition. The existing

dormer material is stucco, and the proposed dormer material which will be flush with the existing is EIFS. The proposed addition will be separated from the existing garage below by a soldier course at the base of the brick wall which will be mimicked above first floor windows of the proposed addition. A new wooden deck and set of stairs will be located at the rear of the structure. Jason indicated that staff recommends approval with the condition that stucco material be used on the front and rear dormers to match existing.

Mr. Ryan informed the members that trash is stored behind the home, not in the garage as indicated in staff's memorandum and that he is the applicant, not the architect, as also indicated in the memorandum.

Chairman Sanger asked how the trash haulers access the trash storage area.

Mr. Ryan indicated that they will either use the neighbor's driveway or the hillside.

Jason Jaggi indicated that the architect had indicated that the trash was stored in the garage.

Chairman Sanger asked who the contractor is.

Mr. Ryan stated he believes it will be Lawlor (sp?). He stated that the materials for the addition will match as it exists today. He stated that he will not be using dry'vit.

Jason Jaggi commented that the new and existing materials will sit side by side and that is a concern.

Mr. Ryan stated it is cement stucco and there will be no seam.

Scott Wilson asked Mr. Ryan how long he expected this job to take to complete, as word has been received that his last project took over 2 years. He stated that if he was a neighbor, he would have a problem with that.

Mr. Ryan informed the members that the contractor for the previous job was found in jail so he had to start over. He indicated that project is complete.

Chairman Sanger stated that the name "Lawlor" sounds familiar.

Scott Wilson indicated that it is probably GT Lawlor who is a good contractor.

Jason Jaggi asked if they were used before.

Mr. Ryan replied "no".

Chairman Sanger asked Mr. Ryan to inform the contractor of the City's rules and regulations pertaining to construction.

Mr. Ryan stated that he had the misfortune of a delayed project before and it will not happen again.

A sample of the brick (Richards brick) was presented. Mr. Ryan informed the members that they have an ample amount of it in stock and that it is a good match to the existing brick, with the only difference being weathered look.

Being no further questions or comments, Scott Wilson made a motion to approve per staff recommendations. The motion was seconded by Jim Liberman and unanimously approved by the Board.

ARCHITECTURAL REVIEW – INSTALLATION OF EXPANSION TO COLUMBARIUM – 6345 WYDOWN BLVD. (CHURCH OF ST. MICHAEL & ST. GEORGE)

Stacey Clear, project architect, was in attendance at the meeting. Also in attendance was Mark Klammer, Vice-chairman of the Church Board.

Jason Jaggi explained that this is consideration of a request by Clear Architecture LLC, architect on behalf of the Church of Saint Michael and Saint George for review of the design and materials associated with the expansion and renovation of a columbarium in the Page Garden along Ellenwood Avenue. The existing columbarium consists of a two-tiered rough granite wall with polished granite plaques and limestone caps. With the proposed expansion and renovation, the upper tier of the existing columbarium will be extended at the northern end. The existing columbarium will be re-clad with stone in areas of existing brick, and blank plaques will be added to all unused niches. A new outer columbarium wall and piers are proposed and will measure approximately 4' from grade to the peak of the decorative limestone cap on the vaults and approximately 5' from grade to the peak of the decorative limestone cap on the piers. The proposed expansion of the upper tier of the existing columbarium wall will measure approximately 1'10" from grade to the top of the flat limestone cap. The proposed columbarium wall will be single-tiered. The outer face of the wall will be clad in rough granite to match the building, and two rows of vaults with polished granite plaques will line the inner face. Piers faced with rough granite will be placed at intervals along the proposed columbarium wall. An existing low brick wall and piers with an iron fence will be removed to accommodate the proposed expansion. An existing fountain at the northwest corner of the existing church building will be removed and replaced with plant material, and an existing stone bench in this location will be relocated. Three Dogwoods and two Norway Spruces will be removed with the proposed expansion and will be replaced with five deciduous ornamental trees. Three Dogwoods will remain in the area of the Page Garden and will be adequately protected during construction. Trustee approval has been submitted. Jason indicated that the columbarium wall will have a strong visual presence along Ellenwood Avenue. The R-2 zoning regulations allow front yard walls up to 4 feet above grade. This proposal meets this requirement. The granite material along the edge of the wall and piers facing Ellenwood will match the material of the existing church building. The plaques marking the vaults of cinerary urns will not be visible from the public sidewalk. These plaques face inward toward the private Page Garden on the church property. Staff estimates that the face of the northernmost pier along the proposed wall will measure approximately 3'5" from the edge of the public sidewalk. The southern end of the proposed columbarium wall will connect with the corner of the existing house on the subject

property. Jason stated that staff's recommendation is to approve as submitted with the condition that proper tree protection fencing be installed around the trees to remain prior to construction.

Mr. Klammer indicated that the existing columbarium wall is made of brick and will be re-clad in granite and expanded. He stated that they currently have 92 niches and they need more. He stated that the goal of the design was to make the wall more aesthetically consistent with the church and rectory.

Chairman Sanger asked the definition of a "columbarium".

Mr. Klammer indicated that it is a wall to keep ashes of those who were cremated.

Chairman Sanger asked if this is in lieu of a cemetery.

Mr. Klammer replied "yes".

Chairman Sanger asked if those niches are sealed.

Mr. Klammer replied "yes". He stated that 62 of the existing 92 niches are filled, but all are sold.

Scott Wilson asked if the neighbors will notice the change.

Mr. Klammer replied "yes"; but the church held several meetings and that the Ward Aldermen are aware of this and they have received no negative comments.

Jason Jaggi commented that from the outside, the columbarium will look like a 4' high wall.

Mr. Klammer stated they hope to enhance the beauty of the Page Garden.

Marc Lopata asked if anyone can just walk up to the wall.

Mr. Klammer replied "yes".

Being no further questions or comments, Marc Lopata made a motion to approve per staff recommendations. The motion was seconded by Scott Wilson and unanimously approved by the Board.

Jason Jaggi informed the members that Sasaki will be presenting the draft update of the Business District Master Plan at their next meeting of June 21st. He asked that the members try and get questions and/or comments to him prior to the presentation/meeting so he may forward them to Sasaki so they can be prepared with answers. He stated that this meeting will be a joint meeting with the Economic Development Advisory Committee (EDAC). He stated that the draft master

plan presentation will begin at 5:30 p.m. with the regular meeting beginning at 6:30 p.m. Jason informed the members that a conceptual plan for the Schnucks site will be on that agenda.

Kevin O'Keefe stated he will not be attending that meeting.

Marc Lopata asked about the storm water ordinance.

Jason Jaggi stated there is no update as of yet. He stated that he hopes to present all the draft ordinances at the same time.

Jim Liberman mentioned the new Planning Director and thanked Jason for serving as Acting Director.

Jason Jaggi indicated that Susan Istenes will be starting the first part of July.

Chairman Sanger mentioned that he had the pleasure of having lunch with Susan while he was in Florida. He, too, thanked Jason for his service and complimented him on a job well done.

Chairman Sanger stated that it seems that the Centene project was moving along and asked when Armstrong Teasdale may be occupying their space.

Jason Jaggi stated that their anticipated move in date is June 21st.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 6:35 p.m.

Recording Secretary